

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JEHOVAH, LESTER RAYMOND DOSS,
and THE HEBREWS AND WISDOM,

Plaintiffs,

11cv1272

ELECTRONICALLY FILED

v.

UNITED STATES OF AMERICA, et al.

Defendant.

MEMORANDUM ORDER

Plaintiff, Lester Raymond Doss, has filed a Motion for Leave to Proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915 (see doc. no. 3) and has also filed a Complaint (doc. no. 1) on his own behalf and on behalf of “Jehovah,” who he alternatively identifies as “Godd the Lordd of Hosts” as well as the “the Hebrews and Wissdom.” Plaintiff Doss’ “Complaint” names more than sixty-five entities, groups, and organizations (some recognizable, some unrecognizable) as Defendants.¹ There are no discernable claims present in the Complaint and there is no tangible relief requested. For the reasons set forth below, the Complaint will be dismissed.

Through an Act of Congress, plaintiffs who are unable to pay fees or give security may proceed before a district court *in forma pauperis* in order to prosecute an action to protect their rights. However, Congress also granted the district courts authority to prevent plaintiffs, under the cover of the statute, from abusing the process of the Court. Therefore, the Court shall dismiss an *in forma pauperis* action at any time if the Court determines that the action is

¹ For example, the first several named Defendants listed on the “Complaint” include: “The United States of

frivolous or malicious or fails to state a claim on which relief may be granted. 28 U.S.C. § 1915(e)(2)(B)(i)-(ii).

In determining whether a claim is frivolous or malicious, the Court does not only look to see whether a plaintiff has used the appropriate conclusory words of constitutional deprivation. Rather, the United States Court of Appeals for the Third Circuit has held that “[t]o be frivolous, a claim must rely on an ‘indisputably meritless legal theory’ or a ‘clearly baseless’ or ‘fantastic or delusional’ factual scenario.” *Mitchell v. Horn*, 318 F.3d 523, 530 (3d Cir. 2003) (citing *Neitzke v. Williams*, 490 U.S. 319, 328 (1989)).

Simply put, an *in forma pauperis* complaint may not be dismissed simply because the court finds that plaintiff’s allegations are unlikely. *Denton v. Hernandez*, 504 U.S. 25, 33 (1992). When allegations rise to the level of the irrational or the wholly incredible, however, regardless of whether there are judicially noticeable facts available to contradict them, the complaint is frivolous as a matter of law. *Id.*

Turning to the matter at hand, Plaintiff Doss’ Complaint alleges that he is the “. . . Sun of the Lordd of Godd” (Complaint, doc. no. 1 at ¶ 8), that “citizens of the earth try to apprehend and maim and kill [him]” (*id.* at ¶ 11), and that “. . .Americans (all of them) try to maim - put [him] in chains - injury - irons and attempt to kill [him] because [he is] righteous and virtuous . . .” (*id.* at ¶ 12). Although the Complaint references a date of January 21, 2005 and claims denial of due process based upon a statute of limitations, (see *id.* at ¶¶ 14, 16-17), but does not indicate: (1) what claim was made, (2) to what court, nor (3) when it was made.

The Complaint next alleges that the United States and “USPS both together are delaying and omitting and deploying and mismanaging and deposing and denying and giving our correspondence to others . . .” (*id.* at ¶ 18) and again alleges “That y’all have hopes to kill me –

LesteRaymonDoss.” *Id.* at ¶ 19. The Complaint further alleges that “. . . the rich and poor . . . and highest levels of power and rulers: such as your judges[,], your executives[,], your officials[,], police[,], agencies[,], etc. are trying to kill and maim and injure and apprehend me . . . and subject me to poisons and chemical residue and . . . to irons and chains and discomfort; and don’t forget your . . . nets and snares.” *Id.* at ¶ 20. The Complaint also indicates, “That y’all owe me \$3,000,000,000,000,000,000 dollars for your crime and murder and lies and mercur that y’all have done against me.” *Id.* at ¶ 23.²

The Complaint again reiterates that Plaintiff Doss is the son and/or prophet of God (see *id.* at ¶ 26, 27, 32, and 48) and alleges all defendants are being sued for “your crimes and negligence and privations and that [Doss] suffers criminal neglect^[3], punitive damages, mitigating circumstances, continuing damages, exemplary damages, dangerous earth inhabitants, murder lies, crime, robbery, embezzlement, forgery, extortions, hypocritical inhabitants of this earth, thieves, bribery, envy, . . .”. *Id.* at ¶ 26.

The remainder of the Complaint is replete with what this Court will categorize as religious statements or statements concerning religion. See *e.g.* ¶ 39, “. . . you all say that Christianity is greater than Jehovah – that dung is not real – you are crazy and insane!” and ¶ 40, “. . . lies against Godd . . .” and ¶ 42, “Almighty Godd is the Plaintiff herein” and ¶ 60, Jesus Christ is not real – he was only a man – an Amorite – your God – dust and sashes as y’all are.” Many allegations are simply indecipherable. See *e.g.* ¶ 47 which reads in its entirety: “US written herein is the Godd of Hosts and also she – Wissdom and last but not least is LesteRaymonDoss! and herein y’all dogs they are the convicts and defendants hereto named as aforementioned and

² In ¶ 35, the Complaint alleges each Defendant “is being sued for \$3,000,000,000,000,000. . .”.

³ Plaintiff Doss is not an inmate.

notwithstanding are the Gentile that does all this spoken and written of to US song.” See also, ¶ 61 which reads in its entirety, “Strangled Instruments!”

The final paragraph of the Complaint reads: “Wherefore file this Complaint as is written of and give him – LesteRaymonDoss [--] a day in Court so that this wrote herein can all be accomplished and Godd will be my Judge!”

Based on the allegations set forth in the Complaint, it is clear that there are no set of facts upon which a legal cause of action of any kind can be discerned, let alone adjudicated. This Court simply cannot construe the Complaint’s statements into any sort of legally cognizable claim and as a result, will dismiss this Complaint as frivolous in accordance with *Denton*, *Neitzke*, and *Mitchell*.

AND NOW, this 27th day of October, 2011, upon consideration of Plaintiffs’ Civil Complaint, **IT IS HEREBY ORDERED** that the Complaint is **DISMISSED** for failure to state a claim upon which relief may be granted and because it is frivolous. Because any amendment would be futile, this dismissal is **with prejudice**.

s/ Arthur J. Schwab
Arthur J. Schwab
United States District Judge